

REMARKS**Request for Continued Examination**

Applicant respectfully requests continued examination of the above-indicated application as per 37 CFR 1.114.

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Claims 1,5-7,9,13-14, 18, 20 and 24-25 are rejected under 35 USC 103a as being unpatentable over Ota et al., US Patent publication 2003/0099174 in view of Koishi et al., US Patent 4,701,609.

Applicant has amended independent claims 1, 7, and 18 to state that the proportional constant is "obtained according to an identification procedure". No new matter is entered. For example, see original claim 15 found allowable by the Examiner stating, "a proportional constant approximately equal to the inverse of the ratio of measured power to real power, the ratio obtained in an identification procedure."

In the advisory action dated 03/06/2007, the Examiner stated that the operational amplifier does in fact multiply the output of the sampling holding circuit by a proportional constant being equal to $G/(1+GK)$, where G is the open loop gain.

Applicant points out that $G/(1+GK)$ is not a "proportional constant obtained according to an identification procedure", as is claimed in currently amended claims 1, 7, and 18. For at least this reason applicant asserts that currently amended claims 1, 7, and 18 should be found allowable with respect to the teachings of Ota et al. in view of Koishi et al. As claims 2-6, 8-14, and 19-25 are dependent upon claims 1, 7, and 18, respectively, if claims 1, 7, and 18 are found allowable, so too should the dependent claims 2-6, 8-14, and 19-25. Reconsideration of claims 1-14, and 18-25 is respectfully requested.

Claims 2-4, 10-12, and 21-23 are rejected under 35 USC 103a as being unpatentable over Ota et al. in view of Shiozaki et al., Patent 6,990,050.

As mentioned above, claims 2-4, 10-12, and 21-23 are dependent upon a base claim believed to be allowable by the applicant. Therefore, claims 2-4, 10-12, and 21-23 should also be found allowable for at least the same reasons stated above for the base claims. Reconsideration of claims 2-4, 10-12, and 21-23 is respectfully requested.

Claims 8 and 19 are rejected under 35 USC 103a as being unpatentable over Ota et al. in view of Eguchi et al., US Patent Publication 2002/0036961.

As mentioned above, claims 8 and 19 are dependent upon a base claim believed to be allowable by the applicant. Therefore, claims 8 and 19 should also be found allowable for at least the same reasons stated above for the base claims. Reconsideration of claims 8 and 19 is respectfully requested.

Allowable Subject Matter – Claims 15-17 are allowed over the prior art

Applicant has amended claims 15 and 17 to correct an antecedent basis problem discovered during the drafting of this response. Specifically, the word “a” is changed to “the” in front of the laser diode element since this element had already been introduced in the preamble of the claims. No new matter is entered. As this amendment is simply correcting a formality, applicant does not expect it will affect the patentability of these allowed claims.

New Claims

Applicant has added new claims 31-36. No new matter is entered. In particular, new claims 31-33 are based on and include only limitations present in the original claims 15-17, respectively, which were previously found allowable by the Examiner. New claims 34-36 include only limitations originally claimed in the last paragraph of claim 15 that were cited in the Office action as 08/21/2006 in the reasons for allowance for claim 15 by the Examiner.

Concerning the patentability of the newly added claims 31-33 with respect to the cited references, applicant points out that the only difference between newly added claims 31-33 and the allowable original claims 15-17 is that applicant has changed the preamble to claim an automatic power control system instead of an optical recording apparatus, and has then removed reference to components such as the photodiode and laser diode that are not included within the automatic power control system. Like claims 15-17, applicant asserts that claims 31-33 should be found allowable over the cited references because the cited references, considered in combination or alone, fail to suggest or fairly teach the given constant used to adjust the given values.

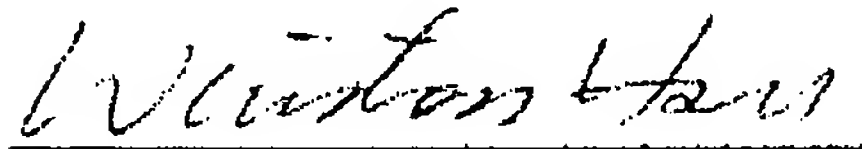
Concerning the patentability of the newly added claims 34-36 with respect to the cited references, applicant points out that new claims 34-36 further modify their respective base claims with the same limitation specifically found allowable in claims 15-17 by the Examiner. Therefore, the applicant asserts that claims 34-36 should be found
5 allowable for at least the same reason as claims 15-17.

Consideration of new claims 31-36 is respectfully requested.

Conclusion:

Thus, all pending claims are submitted to be in condition for allowance with
10 respect to the cited art for at least the reasons presented above. The Examiner is encouraged to telephone the undersigned if there are informalities that can be resolved in a phone conversation, or if the Examiner has any ideas or suggestions for further advancing the prosecution of this case.

15 Sincerely yours,



Date: 04/24/2007

Winston Hsu, Patent Agent No. 41,526

P.O. BOX 506, Merrifield, VA 22116, U.S.A.

20 Voice Mail: 302-729-1562

Facsimile: 806-498-6673

e-mail : winstonhsu@naipo.com

Note: Please leave a message in my voice mail if you need to talk to me. (The time in
25 D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)